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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
APR 11 2017
SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNNY ANDRES ASUNCION, III

Defendant.

1:17-CR-2015-EFS

INDICTMENT

Vio: 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii)
Possession with Intent to Distribute Methamphetamine

Notice of Criminal Forfeiture

The Grand Jury charges:

On or about February 9, 2017, in the Eastern District of Washington, the Defendant, JOHNNY ANDRES ASUNCION, III, did knowingly and intentionally possess with intent to distribute 50 grams or more of actual methamphetamine, a

Schedule II controlled substance, in violation of Title 21 United States Code, Section 841(a)(1), (b)(1)(A)(viii).

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

The allegations contained in Count 1 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Section 841, the Defendant, JOHNNY ANDRES ASUNCION, III, shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

If any forfeitable property, as a result of any act or omission of the Defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

DATED: April 11, 2017.

A TRUE BILL

Presiding Juror

JOSEPH H. HARRINGTON
Acting United States Attorney

Thomas J. Hanlon
Supervisory Assistant United States Attorney

Benjamin D. Seal
Assistant United States Attorney